

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 73058

Rosa M. Campo  
Sulma S. Urias Posada

136 S. Ritters Lane

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on April 28, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, failure to remove all trash and debris from residential property known as 136 S. Ritters Lane, 21117.

On April 6, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector David Kirby issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$500.00 (five hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on January 28, 2010 for removal of all trash and debris from this residential property. This Citation was issued on April 6, 2010.

B. Photographs in the file show junk, trash and debris piled in the rear yard, including broken furniture, rolled up rugs, cardboard, and an old toilet. Re-inspection on March 26, 2010 found much of the yard cleaned up, but photographs still show piled cardboard or plywood outside next to the shed, old lumber piled along the side of the yard, and junk and household items behind the house. Re-inspection on April 27, 2010, prior to this Hearing, found some of the junk cleaned up but photographs show old furniture, a television, and an old automobile wheel in the rear yard behind the house. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310.

C. Review of the file shows that code enforcement notices were sent for similar violations in 2009 and in 2007. Despite having clear notice of the prohibitions against storing junk, trash and debris outside on residential property, Respondents have failed to comply with the County's notices. However, because compliance is the goal of code enforcement, the civil penalty will be reduced if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$150.00 (one hundred fifty dollars) if the violations are corrected by May 24, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 4<sup>th</sup> day of May 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf